

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CUSTOM ESTATES, LLC,

Plaintiff,

v.

DILARAM A. KHANKHODJAEVA,

Defendant.

Case No. 2:12-cv-01677-MMD-CWH

ORDER

(Plf.'s Motion to Remand – dkt. no. 8;
Plf.'s Motion to Remand – dkt. no. 9)

Before the Court are Plaintiff Custom Estates, LLC's Motions to Remand. (See dkt. nos. 8 and 9.)

Plaintiff brought the original complaint in state court alleging that Defendant Dilaram Khankhodjaeva is the former owner of a property located at 72 Falcon Feather in Henderson, Nevada. Plaintiff, the property's current owner, alleges that Defendant has failed to leave the property after the required notices to vacate were posted. As a result, Plaintiff brought this action alleging unlawful detainer and unjust enrichment, and seeks the issuance of a writ of restitution to restore possession of the property as well as compensation for the use of the property in an amount not to exceed \$1,000. Defendant removed the suit to this Court on September 24, 2012. (See dkt. no. 1.)

After reviewing Defendant's petition for removal, the Court issued an order requiring Defendant to show cause as to why the case should not be remanded for lack of jurisdiction. (See dkt. no. 6.) The Court's review of the petition raised serious

1 questions as to federal subject matter jurisdiction and Defendant's defective removal in
2 light of his apparent Nevada citizenship.

3 Defendant failed to respond to the Court's order. Plaintiff subsequently filed two
4 Motions to Remand, both of which were unopposed. The Court's review of Plaintiff's
5 Motions demonstrates that good cause appears to remand this case to state court.
6 Further, Defendant's failure to respond to Plaintiff's Motions constitutes consent to their
7 granting. See Local Rule 7-2(d).

8 Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion to Remand (dkt. no.
9 8) is GRANTED and the case REMANDED. Plaintiff's second Motion to Remand (dkt.
10 no. 9) is DENIED as moot.

11 The Clerk of the Court shall close this case.

12 ENTERED THIS 5th day of April 2013.

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16 MIRANDA M. DU
17 UNITED STATES DISTRICT JUDGE
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